

**\* DECLARATION OF EMERGENCY – Nogales Wash Flooding 2007 \***

**WHEREAS**, on August 24, 2007 the flow of water draining the hills of Nogales, Sonora, Mexico emptied at flood levels into the Nogales Wash in Nogales, Sonora and flowed with great force into Nogales, Arizona, joining with high water flows from additional precipitation in the area; and

**WHEREAS**, the City of Nogales and Santa Cruz County declared states of emergency due to flooding and conditions of extreme peril to public health and safety of their citizens and damages to public infrastructure; and

**WHEREAS**, the underground system of flood control and infrastructure in the general area of International Street and Morley Avenue and the Dennis DeConcini International Port of Entry and Calle International and Calle Elias in Nogales, Sonora, appear no longer able to sustain the requisite traffic and water flows; and

**WHEREAS**, extensive public infrastructure damage has occurred to roads and flood control works, and the International Outfall Interceptor, the main sewage line that lays underneath the Nogales Wash and the Union Pacific Railroad tracks, face's immediate threats; and

**WHEREAS**, this extraordinary event imperils these jurisdictions and presents financial costs above and beyond their fiscal capacities; and

**WHEREAS**, several local, state and federal agencies are coordinating the response to the continuing emergency threats, including by providing technical assistance and damage assessments to Santa Cruz County and the City of Nogales; and

**WHEREAS**, the Governor is authorized to declare an emergency pursuant to A.R.S. § 26-303(D); and

**WHEREAS**, the Governor is currently out of the country and the Secretary of State is serving as Acting Governor pursuant to Article V, Section 6 of the Arizona Constitution; and

**WHEREAS**, the Legislature has authorized the expenditure of funds in the event of an emergency pursuant to A.R.S. § 35-192;

**NOW, THEREFORE I**, Janice K. Brewer, Secretary of State and Acting Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and Laws of the State, do hereby determine that the Nogales Wash Flooding 2007 Emergency justifies a declaration of a State of Emergency, pursuant to A.R.S. § 26-303(D), and I do hereby:

- a. Declare that a State of Emergency exists in Santa Cruz County, for damage to public infrastructure and the continuing threats for additional damages due to

the Nogales Wash Flooding 2007 Emergency, effective August 24, 2007 and continuing; and

- b. Direct that the sum of \$200,000 from the general fund be made available to the Director of the Arizona Division of Emergency Management to be expended in accordance with A.R.S. § 35-192, A.A.C. R8-2-301 to 321, and Executive Order 79-4; and
- c. Direct that the State of Arizona Emergency Response and Recovery Plan be used to direct and control state and other assets and authorize the Director of the Arizona Division of Emergency Management to coordinate state assets; and
- d. Authorize the Adjutant General to mobilize and call to activate all or such part of the Arizona National Guard as is determined necessary to assist in the protection of life and property throughout the State

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona



*Janice K. Brewer*  
ACTING GOVERNOR

DONE at the Capitol in Phoenix on this 28<sup>th</sup> day of August in the Year Two Thousand Seven and of the independence of the United States of America the Two Hundred and Thirty-Second.

ATTEST:

*Kevin P. Type*  
ACTING SECRETARY OF STATE